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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT TRANSMITTAL FORM

Applicant(s)

Shyam et al.

Serial No.:

~~10/073,521~~

Wrong S.N.

10/072,521

For:

REDUCING ABENDS THROUGH THE USE OF  
SECOND-TIER STORAGE GROUPS

Filed:

February 6, 2002

Examiner:

Not yet assigned

Art Unit:

Not yet assigned

Attorney Docket:

SJO920010051US1

COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

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JUN 16 2003

Technology Center 2100

Sir:

Transmitted herewith is:

1. Information Disclosure Statement;
2. PTO Form 1449 with copies of patents and article;
3. Transmittal letter in duplicate; and
4. Postcard.

Please charge any additional fees or credit any such fees, if necessary to Deposit Account No. 01-0467 in the name of Ohlandt, Greeley, Ruggiero & Perle. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: April 3, 2002

Paul D. Greeley, Esq.  
Reg. No. 31,019  
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.  
One Landmark Square, 10th Floor  
Stamford, Connecticut 06901-2682  
(203) 327-4500

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON APRIL 3, 2002.

Kenroy A. Browne  
NAME

SIGNATURE

04/03/02  
DATE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:

Shyam et al.

Serial No.:

10/075,521

For:

REDUCING ABENDS THROUGH THE USE OF  
SECOND-TIER STORAGE GROUPS

Filed:

February 6, 2002

Examiner:

~~Not yet assigned~~ K. McLean-Mayo

Art Unit:

~~Not yet assigned~~ 2187

Attorney Docket:

SJO920010051US1

Commissioner for Patents  
Washington, D.C. 20231

**RECEIVED**

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**INFORMATION DISCLOSURE STATEMENT** Technology Center 2100

Dear Sir:

In accordance with applicant's duty of disclosure under 37 C.F.R. §1.56, please find attached hereto form PTO-1449 listing information which may be material to the patentability of this application, filed concurrently herewith. This Information Disclosure Statement is being filed:

XXX Within three (3) months of the filing date of the national application;

\_\_\_ Within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application;

\_\_\_ Before the mailing date of a first Office Action on the merits;

\_\_\_ After the filing date or date of first Office Action, but before the mailing date of a final action under 37 C.F.R. §1.113, provided that this occurs prior to the issuance of a Notice of Allowance and provided that this I.D.S. is accompanied by either a certification as specified in 37 C.F.R. §1.97(e) or the fee set forth in 37 C.F.R. §1.17(p);

\_\_\_ After the filing date or date of first Office Action, but before the mailing date of a Notice of Allowance under 37 C.F.R. §1.311, provided that this occurs prior to the final action and provided that this I.D.S. is accompanied by either a certification as specified in 37 C.F.R. §1.97(e) or the fee set forth in 37 C.F.R. §1.17(p);

\_\_\_ After the mailing date of a final action under 37 C.F.R. §1.113, provided that this occurs prior to the issuance of a Notice of Allowance and provided that this I.D.S. is accompanied by either a certification as specified in 37 C.F.R. §1.97(e), a petition requesting consideration of the I.D.S., and the petition fee set forth in 37 C.F.R. §1.17(i)(1); and

After the mailing date of a Notice of Allowance under 37 C.F.R. §1.311, provided that this occurs prior to the issuance of a final action and provided that this I.D.S. is accompanied by either a certification as specified in 37 C.F.R. §1.97(e), a petition requesting consideration of the I.D.S., and the petition fee set forth in 37 C.F.R. §1.17(l)(1).

Enclosed are copies of U.S. Patent Nos.:

5,761,667; 5,872,970; and 6,026,462.

Also enclosed is a copy of the abstract of Japanese patent No. 10020921.

The following article is also enclosed:

L. R. Stone, T. S. Nettleship and J. Curtis, *"VM/ESA CMS Shared File System"*,  
IBM Systems Journal, vol. 30, No. 1, 1991.

It should be understood that attention has been called to the references that have been deemed to be pertinent to the claimed present invention. In concluding what was pertinent, the criteria employed was considered most appropriate in light of the invention shown in the present application. However, the Examiner or others may deem some other criteria to be just as appropriate or more appropriate. Therefore, the Examiner is respectfully urged to review the listed references and to make the usual careful independent search for other prior art that may be pertinent.

Respectfully submitted,



April 3, 2002

Paul D. Greeley  
Reg. No. 31,019  
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.  
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Stamford, CT 06901-2682  
(203) 327-4500

(Use several sheets if necessary)

February 6, 2002

Not yet assigned

FILING DATE IF  
APPROPRIATE

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Translation	
YES	NO

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.